



United States Department of the Interior

Bureau of Land Management-Eastern States

Northeastern States District

626 E. Wisconsin Avenue, Suite 200

Milwaukee, Wisconsin 53202-4617



IN REPLY REFER TO:
8100 (03300)
DOI-BLM-ES-0030-2017-0006-DNA

September 26, 2018

CERTIFIED MAIL 7016 1970 0000 5373 4584
RETURN RECEIPT REQUESTED

Mr. Mark Epstein
Department Head
Resource Protection and Review
Ohio Historic Preservation Office
800 E. 17th Avenue
Columbus, Ohio 43211-2474

Dear Mr. Epstein:

The Bureau of Land Management (BLM), Northeastern States District (NSD), is initiating consultation with the Ohio State Historic Preservation Office (OHSHP) regarding several expressions of interest (EOIs) to competitively lease approximately 75 acres of federally owned subsurface oil or natural gas resources under the Wayne National Forest (WNF). The details and locations are found in the attached Section 106 Project Summary Form.

An initial records search conducted by the Wayne National Forest revealed that there are no known cultural resources within the boundaries of the proposed EOIs.

EOIs do not directly authorize any exploration for oil and gas or other ground disturbing activities; rather, they give the lessee the right to apply for an application to drill (APD) for the next 10 years. Because an EOI does not allow for ground disturbing activity, the BLM does not require archeological surveys at this time; consequently, some of the documents as requested on the Section 106 Project Summary Form have not been created. Should the lessee submit an APD, site-specific analysis will be conducted under Section 106 including an archeological survey and further consultation with OHSHP and appropriate Native American Tribes.

The BLM has determined that this undertaking will result in no adverse effects to historic properties and is seeking concurrence with this determination from your office. In order to facilitate our compliance with legally mandated timeframes, your information is requested within 30 days. If you have any questions, comments, or concerns about the BLM's processes or procedures and its consideration of cultural resources for this undertaking, or will require more

time to review the information provided, please contact Stephanie Carman, Assistant District Manager, at (414) 297-4450, or scarman@blm.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dean S. Gettinger". The signature is fluid and cursive, with the first name "Dean" being the most prominent.

Dean S. Gettinger
District Manager

Enclosure



**OHIO HISTORIC PRESERVATION OFFICE:
RESOURCE PROTECTION AND REVIEW**

Section 106 Review - Project Summary Form

For projects requiring a license from the Federal Communications Commission, please use FCC Forms 620 or 621. DO NOT USE THIS FORM.

SECTION 1: GENERAL PROJECT INFORMATION

All contact information provided must include the name, address and phone number of the person listed. Email addresses should also be included, if available. Please refer to the Instructions or contact an OHPO reviewer (mailto:Section106@ohiohistory.org) if you need help completing this Form. Unless otherwise requested, we will contact the person submitting this Form with questions or comments about this project.

Date: **9/26/2018**

Name/Affiliation of person submitting form: **Stephanie Carman**

Mailing Address: **626 E Wisconsin Ave Ste #200 Milwaukee Wi, 53202**

Phone/Fax/Email: **414-297-4450 scarman@blm.gov**

A. Project Info:

1. This Form provides information about:

New Project Submittal:

YES

Additional information relating to previously submitted project:

NO

OHPO/RPR Serial Number from previous submission:

2. Project Name (if applicable):

December 2018 Expressions of Interest (EOI)

3. Internal tracking or reference number used by Federal Agency, consultant, and/or applicant to identify this project (if applicable): **DOI-BLM-Eastern**

States-0030-2017-0006-DNA

B. Project Address or vicinity:

C. City/Township: **Wayne National Forest, Marietta Unit, Ohio, Monroe County**

EOI-2244: T. 4 N., R. 6 W., ORS Meridian, Sec. 29, NWNE (40.06 acres).

EOI-2246: T. 5 N., R. 7 W., ORS Meridian, Sec. 2, SWNW exc. 5 acres off SE corner (35 acres).

D. County: **Monroe**

E. Federal Agency and Agency Contact. *If you do not know the federal agency involved in your project, please contact the party asking you to apply for Section 106 Review, not OHPO, for this information. HUD Entitlement Communities acting under delegated environmental review authority should list their own contact information.*
Kurt Wadzinski, Bureau of Land Management (BLM), Northeastern States District, Milwaukee, Wisconsin

F. Type of Federal Assistance. *List all known federal sources of federal funding, approvals, and permits to avoid repeated reviews.* **BLM will be the approving agency for these EOIs; the US Forest Service-Wayne National Forest has provided consent to the BLM to competitively lease the parcels**

G. State Agency and Contact Person (if applicable): N/A

H. Type of State Assistance: N/A

I. Is this project being submitted at the direction of a state agency **solely** under Ohio Revised Code 149.53 or at the direction of a State Agency? *Answering yes to this question means that you are sure that no federal funding, permits or approvals will be used for any part of your project, and that you are seeking comments only under ORC 149.53.*

NO

J. Public Involvement- Describe how the public has been/will be informed about this project and its potential to affect historic properties. Please summarize how they will have an opportunity to provide comments about any effects to historic properties. (This step is required for all projects under 36 CFR § 800.2):

Public comment will happen concurrently with the NEPA process through BLM's

E-

Planning website

K. Please list other consulting parties that you have contacted/will contact about this project, such as Indian Tribes, Certified Local Governments, local officials, property

owners, or preservation groups. (See 36 CFR § 800.2 for more information about involving other consulting parties). Please summarize how they will have an opportunity to provide comments: **Government-to-Government Tribal consultation has been initiated with the Delaware Nation, The Delaware Tribe of Indians, the Peoria Tribe of Indians of Oklahoma, the Absentee Shawnee Tribe of Indians, The Shawnee Tribe, The Eastern Shawnee Tribe of Oklahoma, and The Wyandotte Nation, by certified letter. All Tribes will have the official 30-day response period to comment, although all Tribes will be able to comment at any time beyond 30 days. The Wayne National Forest has been consulted about this proposal for consent to lease the parcels and to obtain a variety of information, including an initial records search of the proposed EOI locations.**

SECTION 2: PROJECT DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Provide a description of your project, its site, and geographical information. You will also describe your project's Area of Potential Effects (APE). Please refer to the Instructions or contact an OHPO reviewer if you need help with developing the APE or completing this form.

For challenging projects, provide as much information as possible in all sections, and then check the box in Section 5.A. to ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties or if there may be challenging procedural issues related to your project. Please note that providing information to complete all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

A. Does this project involve any Ground-Disturbing activity: **NO**

(If **Yes**, you must complete all of Section 2.A. If **No**, proceed directly to Section 2. B.)

1. General description of width, length and depth of proposed ground disturbing activity: **N/A**

2. Narrative description of previous land use and past ground disturbances, if known:
The surface of all EOIs have been subject to logging and/or farming

3. Narrative description of current land use and conditions:

Currently managed by the Wayne National Forest; EOI surfaces are mostly forested with some openings. Logging periodically takes place on some of these EOIs. It is assumed that dispersed recreation activities (including hunting and hiking) take place on many of these EOIs. There are an unknown number of oil and or gas wells located in the general vicinity of the EOIs.

4. Does the landowner know of any archaeological resources found on the property?
YES **NO** If yes, please describe: **A records search conducted with the Wayne National Forest revealed no archaeological sites on the EOI surfaces.**

B. Submit the exact project site location on a USGS 7.5-minute topographic quadrangle map for all projects. Map sections, photocopies of map sections, and online versions of USGS maps are acceptable as long as the location is clearly marked. Show the project's Area of

Potential Effects (APE). It should be clearly distinguished from other features shown on the map:

1. USGS Quad Map Name:
 2. Township/City/Village Name:
- C. Provide a street-level map indicating the location of the project site; road names must be identified and legible. Your map must show the exact location of the boundaries for the project site. Show the project's Area of Potential Effects (APE). It should be clearly distinguished from other features shown on the map:
- D. Provide a verbal description of the APE, including a discussion of how the APE will include areas with the potential for direct and indirect effects from the project. Explain the steps taken to identify the project's APE, and your justification for the specific boundaries chosen: **The APE for this project includes the surface boundaries of the EOIs. As an EOI does not directly authorize any ground disturbing activities, any future such activities will require additional consultation and site-specific analysis, potentially including archaeological surveys.**
- E. Provide a detailed description of the project. This is a critical part of your submission. Your description should be prepared for a cold reader who may not be an expert in this type of project. The information provided must help support your analysis of effects to historic properties, not other types of project impacts. Do not simply include copies of environmental documents or other types of specialized project reports. If there are multiple project alternatives, you should include information about all alternatives that are still under active consideration:

The Bureau of Land Management (BLM), Northeastern States District (NSD), is currently reviewing two Expressions of Interest (EOIs) to competitively lease a total of approximately 75 acres of federally owned subsurface (i.e. split estate) oil or natural gas resources under the Wayne National Forest (WNF) in southeastern Ohio.

If the EOIs are awarded, the lessee will not be directly authorized to conduct any ground disturbing activities; the lessee will only have the right to request the opportunity to drill a well(s) with an application to drill (APD). The lessee will have ten (10) years to drill, and if they do not submit any APDs at that time, the EOI will again be open for competitive leasing. Any APD submitted by the lessee will be subjected to site-specific analysis including Section 106 review at that time; this will involve the completion of an archeological survey, consultation with appropriate Federally-recognized Native American Tribes and the Ohio SHPO, which would include a site-specific Section 106 Project Summary form. This will include analysis of connected ground disturbing actions such as road and pipeline construction.

In some cases, vertical drilling may not be feasible and horizontal drilling will be used to access federal minerals from private property at a distance of up to 3 miles. This buffer is not being analyzed at this time; any future proposed development associated with horizontal drilling will be subjected to site specific analysis under the NEPA and Section 106, as well as other relevant Federal laws.

While the BLM is doing the initial analysis for the EOIs, analysis for any future APDs and associated ground disturbance connected to these leases that take place on land managed by the Wayne NF will be completed by the Forest

Service. Activities associated with these leases which take place on private lands will be analyzed by the BLM.

SECTION 3: IDENTIFICATION OF HISTORIC PROPERTIES

Describe whether there are historic properties located within your project APE. To make that determination, use information generated from your own Background Research and Field Survey. Then choose one of the following options to report your findings. Please refer to the Instructions and/or contact an OHPO reviewer if you are unsure about how to identify historic properties for your project.

If you read the Instructions and you're still confused as to which reporting option best fits your project, or you are not sure if your project needs a survey, you may choose to skip this section, but provide as much supporting documentation as possible in all other Sections, then check the box in Section 5.A. to request preliminary comments from OHPO. After reviewing the information provided, OHPO will then offer comments as to which reporting option is best suited to document historic properties for your project. Please note that providing information to complete this Section will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

Recording the Results of Background Research and Field Survey:

- A. **Summary of discussions and/or consultation with OHPO** about this project that demonstrates how the Agency Official and OHPO have agreed that no Field Survey was necessary for this project (typically due to extreme ground disturbance or other special circumstances). Please **attach copies** of emails/correspondence that document this agreement. You must explain how the project's potential to affect both archaeological and historic resources were considered.
- B. **A table that includes the minimum information** listed in the OHPO Section 106 Documentation Table (which is generally equivalent to the information found on an inventory form). This information must be printed and mailed with the Project Summary Form. To provide sufficient information to complete this Section, you must also include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated in the project APE.
- C. **OHI (Ohio Historic Inventory) or OAI (Ohio Archaeological Inventory) forms-** New or updated inventory forms may be prepared using the OHI pdf form with data population capabilities, the Internet IForm, or typed on archival quality inventory forms. To provide sufficient information to complete this Section, you must include summary observations from your field survey and background research. You must also include eligibility determinations for each property that was evaluated in the project APE.
- D. **A historic or archaeological survey report** prepared by a qualified consultant that meets professional standards. The survey report should meet the Secretary of the Interior's Standards and Guidelines for Identification and OHPO Archaeological Guidelines. You may also include new inventory forms with your survey, or update previous inventory forms. To complete this section, your survey report must include summary observations from your field survey, background research and eligibility determinations for each property that was evaluated within the APE.
- E. **Project Findings.** Based on the conclusions you reached in completing Section 3, please choose one finding for your project. There are (mark one):
 - Historic Properties Present in the APE:
 - No Historic Properties Present in the APE:**

SECTION 4: SUPPORTING DOCUMENTATION

This information must be provided for all projects.

- A. Photographs must be keyed to a street-level map, and should be included as attachments to this application. Please label all forms, tables and CDs with the date of your submission and project name, as identified in Section 1. You must present enough documentation to clearly show existing conditions at your project site and convey details about the buildings, structures or sites that are described in your submission. Faxed or photocopied photographs are not acceptable. See Instructions for more info about photo submissions or 36 CFR § 800.11 for federal documentation standards.
 - 1. Provide photos of the entire project site and take photos to/from historic properties from/towards your project site to support your determination of effect in Section 5.
 - 2. Provide current photos of all buildings/structures/sites described.
- B. Project plan, specifications, site drawings and any other media presentation that conveys detailed information about your project and its potential to affect historic properties.
- C. Copies or summaries of any comments provided by consulting parties or the public.

SECTION 5: DETERMINATION OF EFFECT

- A. **Request Preliminary Comments.** For challenging projects, provide as much information as possible in previous sections and ask OHPO to offer preliminary comments or make recommendations about how to proceed with your project consultation. This is recommended if your project involves effects to significant historic properties, if the public has concerns about your project's potential to affect historic properties, or if there may be challenging procedural issues related to your project. Please be aware that providing information in all Sections will still be required and that asking OHPO for preliminary comments may tend to delay completion of the review process for some projects.

- 1. We request preliminary comments from OHPO about this project:

YES NO

- 2. Please specify as clearly as possible the particular issues that you would like OHPO to examine for your project (for example- help with developing an APE, addressing the concerns of consulting parties, survey methodology, etc.):

The BLM is asking OHPO if there are any historic properties in the vicinity of the EOIs.

The BLM is aware that the EOIs will be controversial from a natural resources standpoint

based on prior public meetings for similar projects held by the BLM and/or Forest

Service in southeast Ohio.

- B. **Determination of Effect.** If you believe that you have gathered enough information to conclude the Section 106 process, you may be ready to make a determination of effect and ask OHPO for concurrence, while considering public comments. Please select and mark one of the following determinations, then explain the basis for your decision on an attached sheet of paper:

No historic properties will be affected based on 36 CFR § 800.4(d) (1). Please explain how you made this determination: As the proposed EOs will not result in any ground disturbing activity, there will be no adverse effects to historic properties. Any future ground disturbing activities will require additional tribal and SHPO consultation, in addition to a full archaeological survey of the APE.

No Adverse Effect [36 CFR § 800.5(b)] on historic properties. This finding cannot be used if there are no historic properties present in your project APE. Please explain why the Criteria of Adverse Effect, [36 CFR Part 800.5(a) (1)], were found not to be applicable for your project:

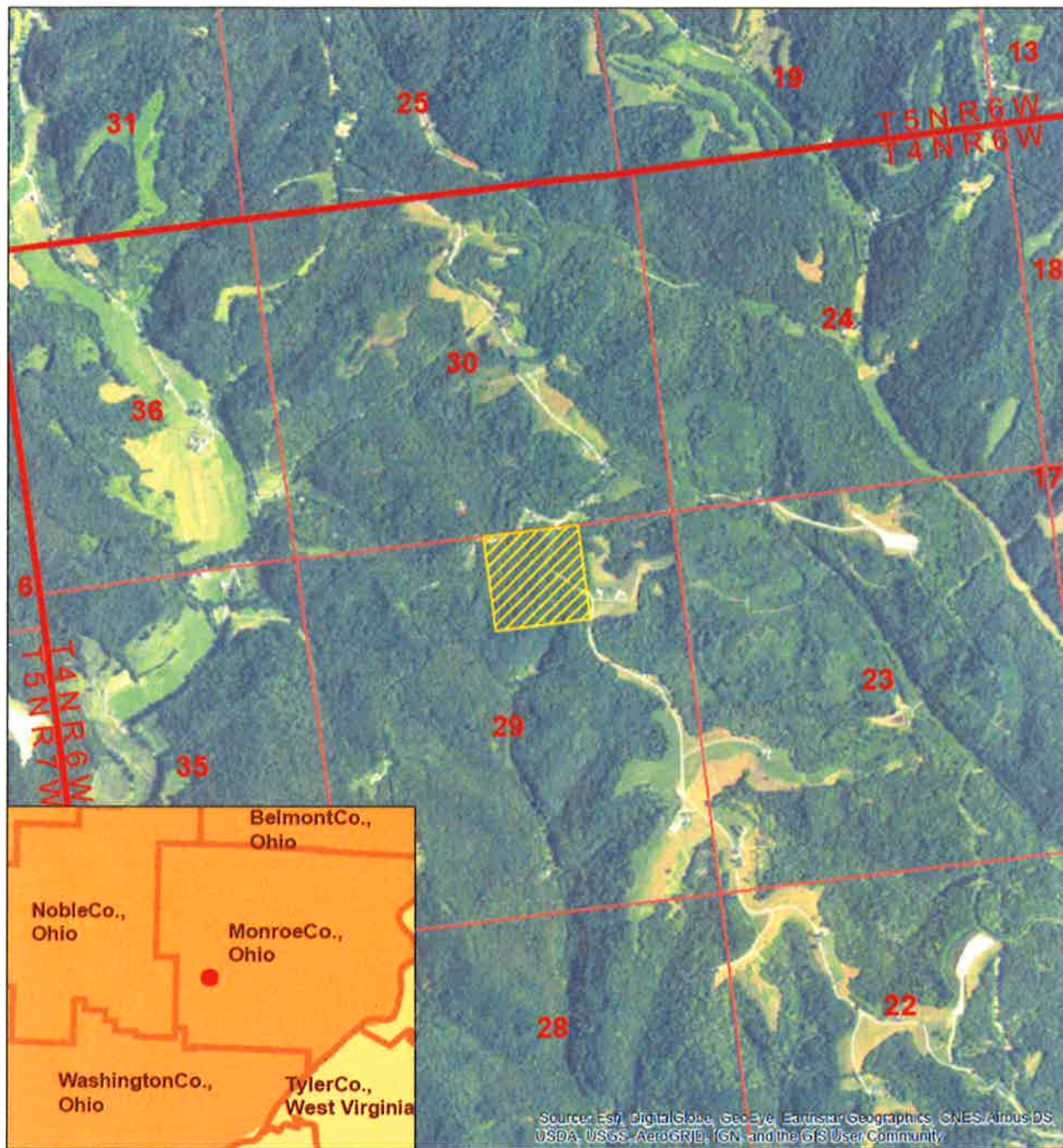
Adverse Effect [36 CFR § 800.5(d) (2)] on historic properties. Please explain why the criteria of adverse effect, [36 CFR Part 800.5(a) (1)], were found to be applicable to your project. You may also include an explanation of how these adverse effects might be avoided, reduced or mitigated:

Please print and mail completed form and supporting documentation to:

*Ohio Historic Preservation Office
Attn: Resource Protection and Review Department Head
Resource Protection and Review
800 E. 17th Avenue
Columbus, OH 43211-2497*

Wayne National Forest Expression of Interest (EOI) Legal Descriptions
Ohio River Survey Baseline and Meridian for all

EOI No.	Township/ Range	Section (All of parts of)	County	Approximate Acreage
2244	4N 6W	29, NWNE	Monroe	40.06
2246	5N 7W	2, SWNW exc. 5 acres off SE corner	Monroe	35



Expression of Interest (EOI 2244)

* No warranty is made by the Bureau of Land Management for the use of map data for purposes otherwise intended by the BLM

 2244

 Township  Section

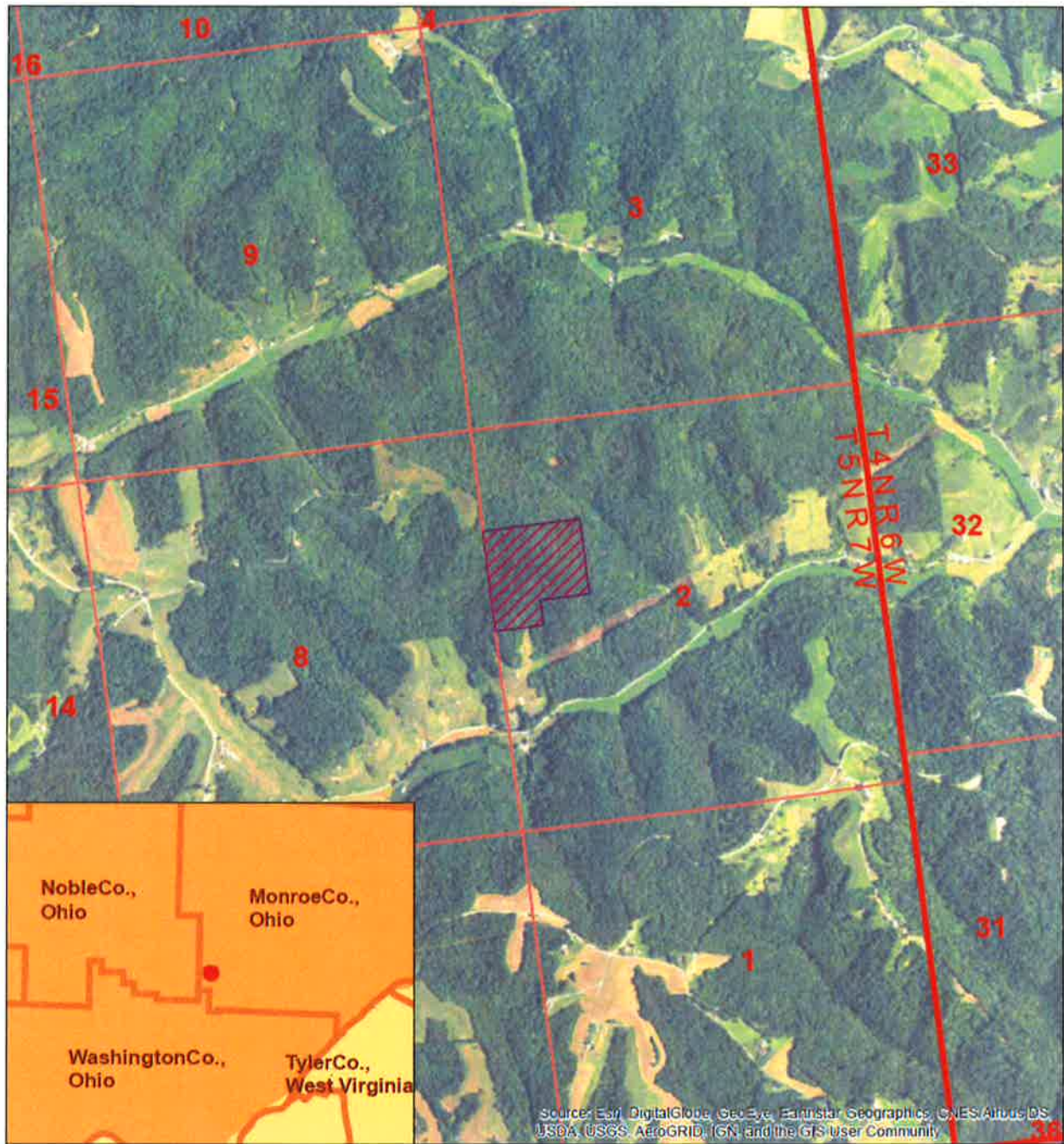
1

 Miles

Bureau of Land Management
Northeastern States District
626 E. Wisconsin Ave, Suite 200
Milwaukee, WI 53202

July 13, 2017





Expression of Interest (EOI 2246)

* No warranty is made by the Bureau of Land Management for the use of map data for purposes otherwise intended by the BLM

 2246

 Township  Section

1

 Miles

Bureau of Land Management
Northeastern States District
626 E. Wisconsin Ave, Suite 200
Milwaukee, WI 53202

July 13, 2017





Kellogg, Jarrod <jkellogg@blm.gov>

Re: Question on 106 Review for Oil and Gas Leasing

1 message

Kellogg, Jarrod <jkellogg@blm.gov>

Mon, Nov 16, 2015 at 10:11 AM

To: Dave Snyder <dsnyder@ohiohistory.org>

Dave-

Thanks for your response and concurrence on my initial thoughts. So I will submit the form and make sure it states that the APE for any drilling will be fully analyzed with an arch survey at that point, and that it would entail filling out an entirely new form for Section 106 Review.

I'll also only send the base maps which we created for the public meetings, which are a total of four maps. If you do want the 1:24000, we can send them on request. Doing maps in 1:24,000 would result in 19 maps, and I think at this stage (because there is no ground disturbance) that is probably overkill.

Take care,

Jarrod

Jarrod "X" Kellogg
Archeologist
Bureau of Land Management
Northeastern States District
Milwaukee, Wisconsin
414-297-4429
jkellogg@blm.gov

Illegemiti non carborundum.

On Fri, Nov 13, 2015 at 3:58 PM, Dave Snyder <dsnyder@ohiohistory.org> wrote:

Hello Jarrod.

Good to hear from you, of course I remember that you visited the Ohio SHPO to discuss general BLM procedures.

With the provision that there will be sufficient time to consider the need for an archaeological survey after the applicant submits an application to drill, we agree that the BLM review of EOIs need not require an archaeological survey.

It is not uncommon for us to review documentation that presents planning for surgical development within large tracts of land such as with oil and gas drilling and gathering lines construction. With large scale planning initiatives we often find that only a very small percentage of the land will be disturbed so these projects don't lend themselves to the kinds of APE delineation and agreement on the field work design for archaeological survey that we most commonly see in routine projects. In the case of recovery of deeply buried reserves of natural gas, oil, and other petroleum products using drilling techniques that allow for

extraction not directly below and often at some distance from the drill pad we expect that there will be analysis conducted to consider a number of issues. This is a good time to initiate cultural resources reviews where the consulting parties can begin to consider the kinds of effects that are likely and to consider preservation priorities. Then, when there is a decision made to proceed with drilling, the consulting parties will be ready to begin looking at specific projects.

In terms of our Project Summary Form, when there are large planning units and the applicant/agency is not yet at a point of delineating the APE (and other parts of the PSF), you should consider providing language on how, who, and when the APE will be delineated (and the other sections will be completed).

David Snyder, Ph.D. | Archaeology Reviews Manager, State Historic Preservation Office

Ohio History Connection | 800 E. 17th Ave. Columbus, Ohio 43211

p. 614.298.2000 | f. 614.298.2037 | dsnyder@ohiohistory.org

From: Kellogg, Jarrod [mailto:jk Kellogg@blm.gov]
Sent: Tuesday, November 10, 2015 9:02 AM
To: Dave Snyder
Cc: Mark Epstein
Subject: Fwd: Question on 106 Review for Oil and Gas Leasing

Dave-

My name is Jarrod Kellogg and I am the archeologist for the Bureau of Land Management in Milwaukee. I believe I met you and Mark Epstein at your office about three years ago regarding how to consult with your office. However, that was over three years ago, and that was also the last time I had to consult with Ohio SHPO, so I have a couple of questions.

I am about to send your office some letters regarding expressions of interest (EOIs), which are the mechanisms by which someone obtains a federal lease for oil and gas. Because an EOI does NOT directly involve the authorization of drilling (the operator would have to submit a application to drill, at which time we would do more consultation and site-specific analysis), we do not require an archeological survey. I seem to remember when I visited your office that would be fine, but could you please confirm? In this case, the leases are under portions of the Wayne NF, and the Forest Service would most likely be doing site-specific analysis should there be any applications for drilling.

My next question: The EOIs cover a large area (32,000 acres) spread out across 4 counties. The maps we have created for the public meetings (1 overview map, 3 maps based on Wayne Ranger Districts) are not at

11/16/2015

DEPARTMENT OF THE INTERIOR Mail - Re: Question on 106 Review for Oil and Gas Leasing

1:24,000 scale, but do have the boundaries of the 7.5' maps overlayed. Would that be good enough for the maps you require, or would you still like us to create 7.5' maps? I think the EOIs would be on 18 different quad maps.

Thanks for your time,

Jarrold

Jarrold "X" Kellogg

Archeologist

Bureau of Land Management

Northeastern States District

Milwaukee, Wisconsin

414-297-4429

jkkellogg@blm.gov

Illegemiti non carborundum.